

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEONARD CECIL STALLINGS,

Plaintiff,

vs.

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

2:18-CV-12136-TGB

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge Elizabeth A. Stafford's Report and Recommendation of July 31, 2019 (ECF No. 18) recommending that Plaintiff's Motion for Summary Judgment (ECF No. 11) be granted, Defendant's Motion for Summary Judgment (ECF No. 14) be denied, and the Commissioner of Social Security's decision be remanded for further consideration under sentence four of 42 U.S.C. § 405(g).

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to

which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate’s Report and Recommendation of July 31, 2019 as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Stafford’s Report and Recommendation of July 31, 2019 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Plaintiff’s Motion for Summary Judgment is **GRANTED**, Defendant’s Motion for Summary Judgment is **DENIED**, and the Commissioner’s decision is **REMANDED FOR FURTHER CONSIDERATION** under sentence four of 42 U.S.C. § 405(g).

Dated: August 20, 2019.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, August 20, 2019, by electronic and/or ordinary mail.

S/A. Chubb

Case Manager and Deputy Clerk